

REMARKS

Restriction /Election

Applicants traverse the restriction requirement on the basis that the subject matter of Group I is too narrow and should encompass at least the subject matter defined in claim 8, wherein L¹ comprises a five to six membered aryl moiety or hetaryl moiety with heteroatoms selected from the group consisting of nitrogen, oxygen and sulfur. It has not been shown to be an undue burden to examine aryl urea compounds where the aryl group on one side of the urea (B) is quinoline, isoquinoline or a pyridinyl moiety and the aryl group on the other side of the urea (A) is a bridged cyclic structure of the formula: -L-(ML')_q. The subject matter should not be restricted to a single bridging group (where M is oxygen and q is 1) and a single heteroatom, (nitrogen) for the heteroaryl ring of L¹. In view of the numerous related copending applications directed to ureas with a similar skeletal structure (where A is a bridged cyclic structure and B is an aryl ring), examining the subject matter of claim 8 clearly is not an undue burden.

Examination of the corresponding international application did not require such a restriction.

Claims corresponding to the subject matter of claim 8 include claims 9, 10, 11, 14, 18, 19, 20-24, 26, 28, 30-33, 34, and 35-48.

The examiner has not provided reasons why claims 37-48 do not conform to the elected subject matter. Therefore, applicants submit the examination of these claims should proceed.

Rejection Under 35 U.S.C §112

Applicants submit that there is written description for the substituents defined as groups of 1-40 carbon atoms. Numerous examples of groups are given for substituents defined as "carbon-based" moieties. For example, preferred values for R_y, R_z, R_a, R_b, R_g, R⁷, W and Z appear on pages 5-9. Here alkyl groups, alkoxy groups, cycloalkyl groups (optionally having heteroatoms), aryl groups, hetaryl groups with heteroatoms are described. Therefore, there is clearly a written description of what is intended by these carbon-based moieties.

Scope of Enablement

It is alleged that claims 1-30 define subject matter which is not enabled where R_x, R_z and/or R_f, is other than lower alkyl. Applicants wish to point out that examples 6, 7, 23, 25, 31, 33, 34, 35, 36, 37, 38, 39, 40, 46, 61, 63, 63, 64, 68, 70, 71, 74, 75, 76, 77, 78, 79, 81, 82, 83, 94, 103, all illustrate values for R_x which are other than lower alkyl wherein B is phenyl. One skilled in the art would only have to replace the phenyl group of B in these examples with a pyridyl isoquinoline or quinolines group. This can be accomplished through the selection of starting materials in forming the ureas. No evidence has been presented that preparing such compounds where B is pyridyl, isoquinoline or quinolines, would require undue experimentation.

Rejections Under 35 U.S.C §112, Second Paragraph

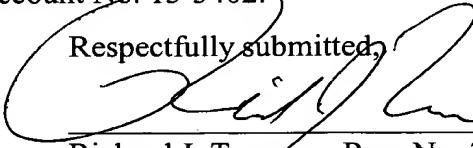
Claims 39 and 41 have been rejected under 35 U.S.C §112, second paragraph, as allegedly indefinite for reciting the limitation that the cyclic structures of B and L bound directly to D are not substituted in the ortho position by "OH" without indicating what they are. Applicants submit such claims are not indefinite in that it is clear these cyclic structures either have hydrogen at the ortho-position or one of the substituents defined in claim 1(other than OH).

Applicants acknowledge that the claims to methods of treatment have been rejected under 35 U.S.C §112, second paragraph for failing to recite effective amounts of the compounds employed. Applicants submit that the use of an effective amount of the recited compound is inherent in the claims as written in that "treatment" would not be accomplished without employing an effective amount of the compounds recited.

Based on the above remarks, Applicants submit that the examination of claim 8 and those which correspond thereto should continue and that the subject matter defined in these claims satisfies the requirements of 35 U.S.C §112, first and second paragraphs.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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